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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/973,561

10/08/2001

Jari Satomaa

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08/27/2007

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EXAMINER

HENEGHAN, MATTHEW E

ART UNIT

PAPER NUMBER

2134

MAIL DATE

DELIVERY MODE

08/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/973,561 | <b>Applicant(s)</b><br>SATOMAA ET AL. |  |
|                              | <b>Examiner</b><br>Matthew Heneghan  | <b>Art Unit</b><br>2134               |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-9, 11 and 14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-9, 11 and 14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 July 2007 has been entered.
2. In response to the previous action, Applicant has amended claims 11 and 14. Claims 2-9, 11, and 14 have been examined.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 2, 5-9, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,353 to Win et al. in view of U.S. Patent No. 6,047,322 to Vaid further in view of U.S. Patent No. 6,496,927 to McGrane et al.

Regarding claims 11 and 14, Win discloses a management system that can be accessed via a wireless link through a communications interface that, since it is coupled to the bus, is directly connected (see column 26, lines 29-39), wherein different administrative roles may be configured having full or limited privileges, including full or limited administrative user interfaces (see column 16, lines 3-28 and Table 1, particularly the independently configurable first and third items in Table 1). Since the invention involves the authentication and authorization of users (see abstract), it is a network security application and any connections therein are at least nominally secure. Win's system includes one or more firewalls (see column 21, lines 50-67), which are part of the system being managed. Win discloses the firewall as being routers or gateways, which, by definition, separate two or more networks from one another. The firewall device inherently performs functionalities (i.e. network security applications) that require the monitoring of network traffic, such as the prevention of IP spoofing.

Though Win discloses the general management of system nodes, Win does not specifically disclose that firewalls are among the nodes being managed.

Vaid discloses a network application (per Win) for the management a plurality of firewalls on a network (see abstract).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the invention of Win by using it to manage a plurality of firewalls, as per Vaid.

Though Win and Vaid disclose the availability of limited user interfaces for any device (such as the firewall), Win does not disclose the maintaining of that interface within the respective devices themselves.

McGrane discloses a user interface for any controlled device that has both a full user interface (in a master control unit) via a computer (see column 6, lines 20-38) and a limited user interface (accepting a subset of the commands) separately accessible via a wireless link (see abstract; column 4, line 25 to column 5, line 26) and updates variables in the system (i.e. modifies configuration information, see column 3, lines 44-45). The wireless remote is capable of contacting the full management computer, but does not have to be in contact with it at the time it interacts with the device. McGrane further suggests that this is done so that one remote control can similarly all of one or more devices (see column 1, line 63 to column 2, line 25).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Win and Vaid by installing in devices, such as the firewalls, a user interface for any controlled device that has both a full user interface and a limited user interface accessible via a wireless link, as disclosed by McGrane, so that one remote control can similarly all of one or more devices.

As per claims 2 and 9, a super-user role is used to populate and maintain the system (see column 17, lines 14-27), and the administrative roles may be created to

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update or modify network applications (Table 1). As noted, McGrane modifies configuration information (e.g. the power state).

Regarding claims 5 and 6, McGrane discloses the use of IR but suggests the use of alternative wireless protocols (see column 5, lines 21-26).

Official notice has previously been given that it is well-known in the art to use WAP and SMS protocols in wireless communications, as the use of industry-standard protocols allows for greater interoperability.

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to further implement the invention of Win, Vaid, and McGrane by using WAP and SMS for wireless communications, as the use of industry-standard protocols allows for greater interoperability.

As per claim 7, communications with the central servers use HTTP (see column 8, lines 1-22).

As per claim 8, any user interface may be used on any device interfacing with the system (including wireless devices); users who are logged in and assigned roles must be authenticated at login (see column 6, lines 40-54).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,353 to Win et al. in view of U.S. Patent No. 6,047,322 to Vaid further in view of U.S. Patent No. 6,496,927 to McGrane et al. as applied to claim 11 above, and further in view of U.S. Patent No. 5,978,850 to Ramachandran et al.

Win, Vaid, and McGrane disclose a feature for notifying any user (including those with limited management access) of attacks (see Win, column 10, lines 1-13), but do not disclose a feature for acknowledging those notifications.

Ramachandran discloses a network wherein alarms must be retransmitted if no acknowledgement is received, ensuring that alert messages are not lost (see column 17, lines 26-39).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Win, Vaid, and McGrane by sending acknowledgements to alarms, as disclosed by Ramachandran, to ensure that alert messages are not lost.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,453,353 to Win et al. in view of U.S. Patent No. 6,496,927 to McGrane et al. as applied to claim 11 above, and further in view of U.S. Patent No. 6,253,211 to Gillies et al.

Win, Vaid, and McGrane disclose a feature the recording and viewing of log data by administrators and further notes that functionalities may be subject to user-configurable restrictions(see Win, as noted above), but do not specifically disclose variable viewing access to log data.

Gillies disclosed a monitoring system wherein the monitoring function being used by the administrator may be configured to filter out selected items from the log file for

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viewing, and further suggests that this prevents trivial information from reaching the administration terminal (see column 7, lines 11-32).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Win, Vaid, and McGrane by allowing for different views of the logs, as disclosed by Gillies, as this prevents trivial information from reaching the administration terminal.

### ***Response to Arguments***

6. Regarding Applicant's argument that Win does not teach to the management of a firewall, Vaid has been incorporated into the grounds of rejection to show that it would be obvious to use Win's invention to manage firewalls.

In response to applicant's argument that Grane is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Grane discloses the maintaining of different management levels within a networked device. Problems associated with the management of networked devices are often the same regardless of the purpose of those networked devices. McGrane's improvement is applicable to many kinds of networked devices, including firewalls.



Grounds of rejection have also been modified in view of Applicant's other arguments and amendments.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday-Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand, can be reached at (571) 272-3811.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(571) 273-3800

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Matthew Heneghan/

August 21, 2007

Patent Examiner (FSA), USPTO AU 2134